

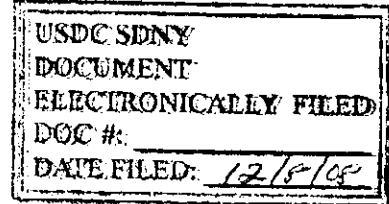
ORIGINAL

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**UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK**

ADELPHIA RECOVERY TRUST,

No. 05-CV-9050 (LMM)

Plaintiff,

v.

BANK OF AMERICA, N.A., et al.,

Defendants.

**PROPOSED ORDER GRANTING THE NON-AGENT LENDERS' MOTION
 FOR ENTRY OF FINAL JUDGMENTS PURSUANT TO
 FEDERAL RULE OF CIVIL PROCEDURE 54(B)**

IT IS HEREBY ORDERED that the Non-Agent Lenders' Motion For Entry of Final Judgments Pursuant to Federal Rule of Civil Procedure 54(b) [Docket Nos. 830, 831] is hereby GRANTED. Rule 54(b) final judgments are hereby entered on Counts 1-16, 33, 41-44 and 49-52 of the Second Amended Complaint (the "Bankruptcy Claims") and also on Counts 34-35 and 45-

48 of the Second Amended Complaint (the “Non-Bankruptcy Claims”), dismissing all such claims with prejudice as against all Affected Defendants.¹

Rule 54(b) final judgments are warranted in this case. First, this case involves multiple parties and multiple claims. Second, the decisions dismissing the Bankruptcy Claims and the Non-Bankruptcy Claims were final within the meaning of Rule 54(b) and 28 U.S.C. § 1291. *See, e.g., Estate of Metzermacher v. Nat'l R.R. Passenger Corp.*, 487 F. Supp. 2d 24, 27 (D. Conn. 2007); *Daniel, M.D. v. Am. Bd. of Emergency Medicine*, 212 F.R.D. 134, 139 (W.D.N.Y. 2002).

Lastly, there is no just reason for delaying an appeal of the Bankruptcy and Non-Bankruptcy Claims. Final judgments would promote the interests of judicial economy and fairness. *See, e.g., Curtiss-Wright Corp. v. General Electric Co.*, 446 U.S. 1, 8 (1980) (“[A] district court must take into account judicial administrative interests as well as the equities involved.”). The tort claims and the few other claims still pending (the “Remaining Claims”) will, unless dismissed as a matter of law, require factual inquiries into the actions of the Debtors, their management and directors, their independent auditors, and their other professional advisors, as well as of the remaining Defendants. Extensive discovery may be required. Accordingly, it is in the interests of the parties and the Court to enter final judgment on the Bankruptcy Claims and on the Non-Bankruptcy Claims and therefore, allow the Court and the parties to focus on the Remaining Claims.

Moreover, there is also no just reason to delay an appeal of the Bankruptcy and Non-Bankruptcy Claims because the issues to be considered on any appeal of the dismissal of these claims are separable from the merits of the Remaining Claims in this case. *See Curtiss-Wright*

¹ Affected Defendants has the same meaning as in the Stipulation Regarding Rule 54(b) Final Judgments, dated October 23, 2008. A list of Affected Defendants is attached hereto as Exhibit A. In accord with Local Rule 77.1, a list of the names of the parties entitled to be notified of the entry thereof and the names and addresses of their attorneys is appended as Exhibit B.

Corp., 446 U.S. at 8 (reasoning that a court may determine that there is no just reason to delay an appeal if the claims that were finally adjudicated are separable from the other remaining claims in the action). The question of whether the Bankruptcy Claims were properly dismissed is a separate and distinct question from the issues to be litigated on the merits of the Remaining Claims. In fact, this Court's dismissal of the Bankruptcy Claims "hinged on a legal determination [— standing —] that is entirely unrelated to, and separable from [the merits of the ART's] claims against the [remaining defendants]."*Estate of Metzermacher*, 487 F. Supp. 2d at 27 (citing *Hudson River Sloop Clearwater, Inc. v. Dep't of the Navy*, 891 F.2d 414, 418 (2d Cir. 1989)).

Similarly, the question of whether the Non-Bankruptcy Claims were properly dismissed as having failed as a matter of law to state a claim upon which relief could be granted is also separate from any factual issues surrounding the Remaining Claims. The Non-Bankruptcy Claims were dismissed as to all defendants and therefore, none of these claims remain pending against any other Defendant before this Court. *See, e.g., Hudson River Sloop Clearwater, Inc.*, 891 F.2d at 418 (reasoning that the separate and distinct test is satisfied because "[n]one of the causes of action remaining in the district court are concerned with [the issues which will be subject to the final judgment certification]"); *see also Fletcher*, 882 F.2d at 610 (reasoning that one of the obvious reasons for a final judgment was that "[t]he two severed causes of action [we]re independent from those left undecided").

The Court further finds that, entering final judgments under the standards of Rule 54(b) and allowing an appeal from the dismissed claims does not provide a basis for staying the proceedings on the Remaining Claims. The Court's finding that there is "no just reason" for delay of any appeal is based in part on its conclusion that the legal issues to be considered on

appeal of the dismissed claims are separable from the merits of the claims that will remain pending before this Court. Any stay of the litigation of the Remaining Claims based on the pendency of any appeal of the dismissed claims would be contrary to the conclusion herein that certification of final judgment pursuant to Rule 54(b) serves the purposes of judicial economy. All parties to this litigation received adequate notice of the Proposed Order and an opportunity to be heard.

Therefore, no stay shall be entered based on the pendency of any appeal of the dismissed claims and, as the Court finds that the requirements for a Rule 54(b) final judgment are otherwise satisfied, final judgments are hereby entered on Counts 1-4 (as to all UCA/HHC Co-Borrowing Lender defendants), 5-8 (as to all CCH Co-Borrowing Lender defendants), 9-12 (as to all Olympus Co-Borrowing Lender defendants), 13-16 (as to all Century -TCI Lender defendants), 33 (as to all defendants), 34 (as to all Co-Borrowing Lender defendants), 35 (as to all Century-TCI Lender defendants), 41 (as to all CCH Co-Borrowing Lender defendants), 42 (as to all Olympus Co-Borrowing Lender defendants), 43 (as to all Century-TCI Lender defendants), 44 (as to all Parmassos Lender defendants), 45 (as to all UCA/HHC Lender defendants), 46 (as to all CCH Co-Borrowing Lender defendants), 47 (as to all Olympus Lender defendants), 48 (as to all Co-Borrowing Lender defendants), 49 (as to all FrontierVision Lender defendants), 50 (as to all CCH Lender defendants), 51 (as to all Olympus Lender defendants), 52 (as to all UCA/HHC Lender defendants) of the Second Amended Complaint, dismissing such claims as against all Affected Defendants. (The terms in parentheses identify the defendants against whom each of those claims was asserted, and have the same definition as they do in the Second Amended Complaint.)

Dec. 8

Dated: October, 2008

SO ORDERED:


Lawrence M. McKenna
United States District Court Judge

EXHIBIT A

AFFECTED DEFENDANTS

| |
|--|
| 228 VARIABLE INSURANCE PRODUCTS FUND II: ASSET MANAGER PORTFOLIO |
| ABBEY NATIONAL TREASURY SERVICES PLC |
| ABN AMRO BANK N.V., INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| ABN AMRO, INC. |
| ADDISON CDO, LIMITED |
| AERIES FINANCE-II LTD. |
| AG CAPITAL FUNDING PARTNERS, L.P. |
| AIG RETIREMENT SERVICES, INC. |
| AIM FLOATING RATE FUND |
| AIMCO CLO SERIES, 2000-A |
| AIMCO CLO SERIES, 2001-A |
| ALEXANDRA GLOBAL MASTER FUND LTD. |
| ALLSTATE LIFE INSURANCE CO. |
| ALPHA US SUB FUND II, LLC |
| AMARA 2 FINANCE, LTD. |
| AMARANTH FUND, L.P. |
| AMERIPRISE CERTIFICATE COMPANY |
| AMERIPRISE CERTIFICATE COMPANY (F/K/A AMERICAN EXPRESS CERTIFICATE COMPANY) |
| AMMC CDO I, LIMITED |
| AMMC CDO II, LTD. |
| AMMC CLO IV, LIMITEDP |
| AMMC CLO V, LIMITED |
| ANTHEM SOUTHEAST INC. (SUCCESSOR BY MERGER TO TRIGON HEALTHCARE, INC.) |
| APEX (IDM) CDO I, LTD. |
| APEX (TRIMARAN) CDO I, LTD. |
| AQUITANIA PARTNERS Q.P., L.P. |
| ARCHIMEDES FUNDING II, LTD. |
| ARCHIMEDES FUNDING III, LTD. |
| ARCHIMEDES FUNDING IV (CAYMAN), LTD. |
| ARES ENHANCED CREDIT OPPORTUNITIES FUND, LTD. |
| ARES III CLO LTD. |
| ARES IV CLO LTD. |
| ARES LEVERAGED INVESTMENT FUND II, L.P. |
| ARES LEVERAGED INVESTMENT FUND, L.P. |
| ARES V CLO LTD. |
| ARES VI CLO LTD. |
| ATHENA CDO LIMITED |
| AUGUSTA TRADING LLC |
| AURUM CLO 2002 – I LTD. |
| AVALON, LTD. 3 (F/K/A AVALON CAPITAL, LTD. 2) |
| AVENUE SPECIAL SITUATIONS FUND II, LP |
| AVL LOAN FUNDING LLC |
| AXIS/SRS LIMITED |
| BALANCED HIGH YIELD FUND II, LTD. |
| BALLYROCK CDO I LIMITED |
| BANC OF AMERICA SECURITIES LLC |
| BANCWEST CORP. (F/K/A FIRST HAWAIIAN BANK) |
| BANK OF AMERICA DISTRESSED TRADE |
| BANK OF AMERICA TRADE |
| BANK OF AMERICA, N.A., INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTION DEFENDANTS

| |
|--|
| BANK OF MONTREAL, INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| BANK OF TOKYO MITSUBISHI UFJ TRUST COMPANY (F/K/A BANK OF TOKYO MITSUBISHI TRUST COMPANY) |
| BANK ONE CORP. (F/K/A FIRST NATIONAL BANK OF CHICAGO) |
| BANK ONE, N.A. |
| BARCLAYS BANK PLC, INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| BARCLAYS CAPITAL INC. |
| BATTERY PARK HIGH YIELD LONG SHORT FUND, LTD. |
| BATTERY PARK HIGH YIELD OPPORTUNITY MASTER FUND, LTD. |
| BAYERISCHE HYPO-UND VEREINSBANK AG (HVB) |
| BAYERISCHE LANDESBANK (F/K/A BAYERISCHE LANDESBANK GIROZENTRALE) |
| BAYERISCHE LANDESBANK (F/K/A BAYERISCHE LANDESBANK GIROZENTRALE) |
| BBT FUND LP |
| BEAR STEARNS CREDIT PRODUCTS |
| BEAR STEARNS INVESTMENT PRODUCTS |
| BEAR, STEARNS & CO., INC. |
| BELHURST CLO, LTD. (F/K/A AVALON CAPITAL, LTD.) |
| BLACK DIAMOND CLO 2000 |
| BLACKROCK CORPORATE HIGH YIELD FUND III, INC. (F/K/A CORPORATE HIGH YIELD FUND III, INC.) |
| BLACKROCK CORPORATE HIGH YIELD FUND V, INC. (F/K/A CORPORATE HIGH YIELD FUND V, INC.) |
| BLACKROCK CORPORATE HIGH YIELD FUND VI, INC. (F/K/A CORPORATE HIGH YIELD FUND VI, INC.) |
| BLACKROCK CORPORATE HIGH YIELD FUND, INC. (F/K/A CORPORATE HIGH YIELD FUND, INC.) |
| BLACKROCK DEBT STRATEGIES FUND (F/K/A DEBT STRATEGIES FUND II, INC.) |
| BLACKROCK FLOATING RATE INCOME STRATEGIES FUND II, INC. |
| BLACKROCK FLOATING RATE INCOME STRATEGIES FUND, INC. |
| BLACKROCK FLOATING RATE INCOME STRATEGIES FUND, INC. (F/K/A FLOATING RATE INCOME STRATEGIES FUND, INC.) |
| BLACKROCK GLOBAL FLOATING RATE INCOME TRUST |
| BLACKROCK GLOBAL INVESTMENT SERIES: BANK LOAN INCOME PORTFOLIO |
| BLACKROCK LIMITED DURATION INCOME TRUST |
| BLACKROCK SENIOR FLOATING RATE FUND, INC. (F/K/A MERRILL LYNCH SENIOR FLOATING RATE FUND, INC.) |
| BLACKROCK SENIOR HIGH INCOME FUND, INC. (F/K/A SENIOR HIGH INCOME PORTFOLIO, INC.) |
| BLACKROCK SENIOR INCOME SERIES |
| BLACKROCK SENIOR INCOME SERIES III |
| BLACKROCK SENIOR LOAN TRUST |
| BLUE CROSS OF CALIFORNIA |
| BLUE SQUARE FUNDING SERIES 3 |
| BMO CAPITAL MARKETS CORP. (F/K/A BMO NESBITT BURNS CORP.) |
| BMO CAPITAL MARKETS CORP. (F/K/A HARRIS NESBITT FINANCING INC.) |
| BMO CAPITAL MARKETS FINANCING, INC. |
| BNP PARIBAS |
| BNP PARIBAS (F/K/A BANQUE NATIONALE DE PARIS) |
| BNY CAPITAL MARKETS, INC. |
| BOSTON INCOME PORTFOLIO |
| BT HOLDINGS |
| CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM |
| CALYON |
| CALYON (F/K/A CREDIT AGRICOLE INDOSUEZ) |
| CALYON NEW YORK BRANCH (F/K/A CREDIT LYONNAIS, NEW YORK BRANCH), INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| CALYON SECURITIES (USA), INC. (F/K/A CREDIT LYONNAIS SECURITIES (USA), INC.) |
| CAMULOS MASTER FUND LP |

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTION DEFENDANTS

| |
|--|
| CANDELA CAPITAL MANAGEMENT LLC |
| CANDLEWOOD CAPITAL PARTNERS LLC |
| CANPARTNERS INVESTMENTS IV, LLC |
| CAP FUND, L.P. |
| CAPTIVA III FINANCE LTD. |
| CAPTIVA IV FINANCE LTD. |
| CARAVELLE INVESTMENT FUND II, L.L.C. |
| CARAVELLE INVESTMENT FUND, LLC |
| CARLYLE HIGH YIELD PARTNERS II, LTD. |
| CARLYLE HIGH YIELD PARTNERS III, LTD. |
| CARLYLE HIGH YIELD PARTNERS IV, LTD. |
| CARLYLE HIGH YIELD PARTNERS, L.P. |
| CARLYLE LOAN INVESTMENT LTD. |
| CASTLERIGG MASTER INVESTMENTS LTD. |
| CEDAR CREEK SPIRET LOAN TRUST |
| CEDARVIEW OPPORTUNITIES MASTER FUND |
| CENTURION CDO II, LTD. |
| CENTURION CDO III, LTD. |
| CENTURY INTEREST |
| CENTURY POST PETITION INTEREST |
| CERES II FINANCE LTD. |
| CHARTER VIEW PORTFOLIO |
| CIBC WORLD MARKETS CORP. |
| CIBC, INC., INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| CIC UNION EUROPÉENE, INTERNATIONAL ET CIE |
| CITADEL HILL 2000, LTD. |
| CITI GOLDETREE LTD. |
| CITIBANK, N.A., INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| CITICORP USA, INC., INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| CITIGROUP CONSOLIDATED |
| CITIGROUP FINANCIAL PRODUCTS, INC. (F/K/A SALOMON BROTHERS HOLDING CO., INC.) |
| CITIGROUP GLOBAL MARKETS HOLDINGS, INC. (F/K/A SALOMON SMITH BARNEY HOLDINGS, INC.), D/B/A SALOMON SMITH BARNEY, INC |
| CITIGROUP GLOBAL MARKETS, INC. (F/K/A SALOMON SMITH BARNEY) |
| CITIZENS BANK OF RHODE ISLAND |
| CITY NATIONAL BANK |
| CLYDESDALE CLO 2001-1, LTD. |
| CMI I LTD. |
| CN LOAN FUND, INC. |
| COHANZICK CREDIT OPPORTUNITIES |
| COLUMBUS LOAN FUNDING, LTD. |
| COLUMBUS NOVA CAPITAL MASTER FUND |
| CONCORDIA DISTRESSED DEBT FUND, L.P. |
| CONCORDIA MAC29 LTD. |
| CONFLUENT 2 LIMITED |
| CONFLUENT 3 LIMITED |
| CONTINENTAL CASUALTY COMPANY |
| CONTRARIAN FUNDS, LLC |

AFFECTED DEFENDANTS

| |
|---|
| COOPERATIEVE CENTRALE RAIFFEISEN-BOERENLEEN BANK B.A., "RABOBANK NEDERLAND," NEW YORK BRANCH, INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| COOPERATIEVE CENTRALE RAIFFEISEN-BOERENLEENBANK B.A. |
| COSTANTINUS EATON VANCE CDO V, LTD. |
| COWEN AND COMPANY, LLC (F/K/A SG COWEN SECURITIES CORPORATION) |
| CREDIT INDUSTRIEL ET COMMERCIAL |
| CREDIT SUISSE CAPITAL FUNDING, INC. (F/K/A DLJ CAPITAL FUNDING, INC.), INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| CREDIT SUISSE INTERNATIONAL |
| CREDIT SUISSE LOAN FUNDING, LLC |
| CREDIT SUISSE SECURITIES (USA) LLC (F/K/A CREDIT SUISSE FIRST BOSTON CORPORATION) |
| CREDIT SUISSE SECURITIES (USA) LLC (F/K/A DONALDSON, LUFKIN & JENRETTE SECURITIES CORPORATION) |
| CREDIT SUISSE, CAYMAN BRANCH |
| CREDIT SUISSE, NEW YORK BRANCH (F/K/A CREDIT SUISSE FIRST BOSTON, NEW YORK BRANCH), INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| CSAM FUNDING I |
| CSAM FUNDING II |
| CYPRESS POINT TRADING LLC |
| CYPRESTRIVE INVESTMENT FUND, LLC |
| CYPRESTRIVE INVESTMENT FUND, LLC |
| CYPRESTRIVE INVESTMENT PARTNERS I, LTD. |
| CYPRESTRIVE INVESTMENT PARTNERS II, LTD. |
| D.E. SHAW LAMINAR PORTFOLIOS, LLC |
| DB HOLDINGS (NEW YORK), INC. |
| DB STRUCTURED PRODUCTS, INC. |
| DB STRUCTURED PRODUCTS, INC. (F/K/A DEUTSCHE BANK SHARPS PIXLEY, INC.) |
| DEBT STRATEGIES FUND III, INC. |
| DEBT STRATEGIES FUND, INC. |
| DEBT STRATEGIES FUND, INC. |
| DELANO COMPANY #274 |
| DEUTSCHE BANC ALEX BROWN, INC. (F/K/A BT ALEX BROWN, INC.) |
| DEUTSCHE BANK AG CAYMAN ISLANDS |
| DEUTSCHE BANK AG LONDON |
| DEUTSCHE BANK AG, NEW YORK BRANCH |
| DEUTSCHE BANK TRUST COMPANY AMERICAS |
| DEUTSCHE BANK TRUST COMPANY AMERICAS (F/K/A BANKERS TRUST COMPANY), INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| DEXIA CREDIT LOCAL (F/K/A CREDIT LOCAL DE FRANCE) |
| DEXIA CREDIT LOCAL NEW YORK BRANCH (F/K/A CREDIT LOCALE FRANCE -- NEW YORK AGENCY) |
| DIVERSIFIED INVESTORS HIGH YIELD BOND FUND |
| DRESDNER BANK AG |
| DRESDNER BANK AG, NEW YORK AND GRAND CAYMAN BRANCHES |
| DRYDEN HIGH YIELD CDO 2001-I |
| DRYDEN LEVERAGED LOAN CDO 2002-II |
| DZ BANK AG DEUTSCHE ZENTRAL-GENOSSENSCHAFTS BANK |
| DZ BANK AG DEUTSCHE ZENTRAL-GENOSSENSCHAFTSBANK (F/K/A DG BANK DEUTSCHE GENOSSENSCHAFTSBANK AG) |
| DZ BANK AG DEUTSCHE ZENTRAL-GENOSSENSCHAFTSBANK, FRANKFURT AM MAIN (SUCCESSOR-BY-MERGER TO DG BANK DEUTSCHE GENOSSENSCHAFTSBANK AG) |
| EAGLE MASTER FUND, LTD. |
| EATON VANCE CDO II, LTD. |
| EATON VANCE CDO III, LTD. |

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTED DEFENDANTS

| |
|--|
| EATON VANCE CDO IV, LTD. |
| EATON VANCE INSTITUTIONAL SENIOR LOAN FUND |
| EATON VANCE SENIOR INCOME TRUST |
| ECO MASTER FUND LIMITED |
| ELC (CAYMAN) LTD. |
| ELC (CAYMAN) LTD. 1999-III |
| ELC (CAYMAN) LTD. 2001-I |
| ELC (CAYMAN) LTD. CDO SERIES 1999-I |
| ELC (CAYMAN) LTD. CDO SERIES 1999-III |
| ELC (CAYMAN) LTD. CDO SERIES 2000-I |
| ELC (CAYMAN) LTD. SERIES 1999-I |
| ELF FUNDING TRUST I |
| ELF FUNDING TRUST I (F/K/A ELF FUNDING TRUST) |
| ELF FUNDING TRUST III |
| ELI BROAD |
| ELI BROAD FOUNDATION |
| ELT LTD. |
| EMERALD ORCHARD LIMITED |
| ENDURANCE CLO I, LTD. |
| EOS PARTNERS, L.P. |
| ERSTE BANK DER OESTERREICHISCHEN SPARKASSEN AG |
| ERSTE BANK NEW YORK BRANCH (D/B/A ERSTE BANK) |
| ESSEX PARK CDO LTD. |
| EVERGREEN FUNDING LTD., CO. |
| EXIS HOLDING, LTD. |
| FALL CREEK CLO LTD. |
| FC CBO IV LIMITED |
| FERNWOOD ASSOCIATES LLC (F/K/A FERNWOOD ASSOCIATES LP) |
| FIDELITY ADVISOR SERIES I: FIDELITY ADVISOR BALANCED FUND (219) |
| FIDELITY ADVISOR SERIES II: FIDELITY ADVISOR FLOATING RATE HIGH INCOME FUND (161) [The correct legal name for this entity is Fidelity Advisors Series II: Fidelity Advisor Floating Rate High Income Fund (161)] |
| FIDELITY ADVISOR SERIES II: FIDELITY ADVISOR HIGH INCOME FUND (374) [The correct legal name for this entity is Fidelity Advisor Series I: Fidelity Advisor High Income Fund (374)] |
| FIDELITY ADVISOR SERIES II: FLOATING RATE HIGH INCOME [The correct legal name for this entity is Fidelity Advisor Series I: Fidelity Floating Rate High Income] |
| FIDELITY ADVISOR SERIES II: STRATEGIC INCOME (638) [The correct legal name for this entity is Fidelity Advisor Series II: Fidelity Advisor Strategic Income (638)] |
| FIDELITY CENTRAL INVESTMENT PORTFOLIOS II LLC [The correct legal name for this entity is Fidelity Central Investment Portfolios, LLC: Fidelity High Income Central Fund 1] |
| FIDELITY CENTRAL INVESTMENT PORTFOLIOS LLC [The correct legal name for this entity is Fidelity Central Investment Portfolios LLC: Fidelity Floating Rate Central Fund] |
| FIDELITY CHARLES STREET TRUST: FIDELITY ASSET MANAGER (314) [The correct legal name for this entity is Fidelity Charles Street Trust: Fidelity Asset Manager 50% (314)] |
| FIDELITY CHARLES STREET TRUST: FIDELITY ASSET MANAGER: GROWTH (321) [The correct legal name for this entity is Fidelity Charles Street Trust: Fidelity Asset Manager 70% (321)] |
| FIDELITY HIGH YIELD BOND COLLECTIVE TRUST [The correct legal name for this entity is Pyramis High Yield Bond Commingled Pool (f/k/a Fidelity High Yield Bond Collective Trust)] |
| FIDELITY HIGH YIELD COLLECTIVE [The correct legal name for this entity is Pyramis High Yield Bond Commingled Pool (f/k/a Fidelity High Yield Bond Collective Trust)] |
| FIDELITY INSTITUTIONAL HIGH YIELD [The correct legal name for this entity is Pyramis High Yield LLC (f/k/a/Fidelity Institutional High Yield T2253)] |
| FIDELITY PURITAN TRUST: FIDELITY PURITAN FUND |
| FIDELITY SCHOOL STREET TRUST: FIDELITY STRATEGIC INCOME FUND |
| FIDELITY SUMMER STREET TRUST: FIDELITY CAPITAL & INCOME FUND (38) |

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTED DEFENDANTS

| |
|--|
| FIDELITY SUMMER STREET TRUST: FIDELITY HIGH INCOME FUND (455) [The correct legal name for this entity is Fidelity Summer Street Trust: Fidelity High Income (455)] |
| FIFTH THIRD BANCORP |
| FIRST ALLAMERICA FINANCIAL LIFE INSURANCE COMPANY |
| FIRST DOMINION FUNDING I |
| FIRST DOMINION FUNDING II |
| FIRST DOMINION FUNDING III |
| FIRST TRUST/FOUR CORNERS SENIOR FLOATING INCOME FUND II |
| FIRST TRUST/FOUR CORNERS SENIOR FLOATING RATE INCOME FUND |
| FIRST TRUST/HIGHLAND CAPITAL FLOATING RATE INCOME FUND II |
| FIRST UNION NATIONAL BANK (CAROLINA PORTFOLIO) |
| FIRST UNION PAR TRADING |
| FIRSTSTAR BANK, N.A. |
| FIVE FINANCE CORPORATION |
| FLAGSHIP CLO 2001-1 |
| FLAGSHIP CLO II |
| FLAGSHIP CLO IV |
| FLEET NATIONAL BANK (F/K/A BANK BOSTON, N.A.) |
| FLEET NATIONAL BANK, INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| FLEET SECURITIES, INC. |
| FLOATING RATE PORTFOLIO |
| FOOTHILL INCOME TRUST II, L.P. |
| FORTIS CAPITAL CORP. |
| FORTIS CAPITAL CORP. (F/K/A MEESPIERSON CAPITAL CORP.) |
| FRANKLIN CLO I, LIMITED |
| FRANKLIN CLO II, LIMITED |
| FRANKLIN CLO III, LIMITED |
| FRANKLIN FLOATING RATE DAILY ACCESS FUND |
| FRANKLIN FLOATING RATE DAILY ACCESS FUND, INDIVIDUALLY AND AS SUCCESSOR TO FRANKLIN FLOATING RATE TRUST'S INTERESTS IN THE CREDIT FACILITIES AT ISSUE |
| FRANKLIN FLOATING RATE MASTER SERIES |
| GABRIEL CAPITAL LP |
| GALAXY CLO 1999-1, LTD. |
| GLENNEAGLES TRADING LLC |
| GOLDENTREE 2004 TRUST |
| GOLDENTREE CREDIT OPPORTUNITIES FINANCING I, LTD. (F/K/A GOLDENTREE CREDIT OPPORTUNITIES) |
| GOLDENTREE CREDIT OPPORTUNITIES FINANCING II, LIMITED |
| GOLDENTREE HIGH YIELD MASTER FUND, LTD. (F/K/A GOLDENTREE MASTER FUND, LTD.) |
| GOLDENTREE HIGH YIELD OPPORTUNITIES I, L.P. |
| GOLDENTREE HIGH YIELD OPPORTUNITIES II, L.P. |
| GOLDENTREE HIGH YIELD VALUE MASTER FUND, L.P. |
| GOLDENTREE LOAN OPPORTUNITIES I, LTD. |
| GOLDENTREE LOAN OPPORTUNITIES II, LTD. |
| GOLDENTREE MASTER FUND II, LTD. |
| GOLDENTREE MASTER FUND, LTD. |
| GOLDENTREE MASTER FUND, LTD. (F/K/A GOLDENTREE MASTER FUND) |
| GOLDENTREE MULTISTRATEGY FINANCING, LTD |
| GOLDMAN SACHS & CO. |
| GOLDMAN SACHS CREDIT PARTNERS L.P. |
| GOLDMAN SACHS CREDIT PARTNERS, L.P. |
| GPC LVIII, LLC |
| GRACIE CAPITAL, L.P. |

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTED DEFENDANTS

| |
|--|
| GRAND CENTRAL ASSET TRUST DHV SERIES |
| GRAND CENTRAL ASSET TRUST HLD |
| GRAND CENTRAL ASSET TRUST SIL |
| GRAND CENTRAL ASSET TRUST SINGLE NAME SERIES |
| GRAND CENTRAL ASSET TRUST SOH |
| GRAND CENTRAL ASSET TRUST SOLA |
| GRANITE FINANCE LIMITED |
| GRAYSON & CO. |
| GREAT AMERICAN INSURANCE CO. |
| GREAT AMERICAN LIFE INSURANCE CO. |
| GREAT POINT CLO 1999-1, LTD |
| GREENWICH INTERNATIONAL LTD. |
| GREYSTONE CLO LTD. |
| GREYWOLF LOAN PARTICIPATION LLC |
| GSC RECOVERY II, L.P. |
| GSC RECOVERY IIA, L.P. |
| HALCYON FUND, L.P. |
| HALCYON RESTRUCTURING FUND, L.P. |
| HAMILTON CDO, LTD. |
| HAMPTON FUNDING LLC |
| HARBOUR TOWN FUNDING, LLC |
| HARBOURVIEW CDO II, LTD. |
| HARBOURVIEW CDO IV, LTD. |
| HARBOURVIEW CLO II, LIMITED |
| HARBOURVIEW CLO IV, LTD. |
| HARBOURVIEW CLO V, LTD. |
| HARCH CLO I, LTD. |
| HARTFORD FLOATING RATE FUND |
| HCM/Z SPECIAL OPPORTUNITIES LLC |
| HIGH INCOME PORTFOLIO |
| HIGHLAND CREDIT OPPORTUNITIES CDO, LTD. |
| HIGHLAND CREDIT STRATEGIES FUND |
| HIGHLAND FLOATING RATE ADVANTAGE FUND |
| HIGHLAND FLOATING RATE ADVANTAGE FUND (F/K/A LIBERTY-STEIN ROE ADVISOR FLOATING RATE ADVANTAGE FUND) |
| HIGHLAND FLOATING RATE FUND LLC |
| HIGHLAND FLOATING RATE LLC (F/K/A STEIN ROE FLOATING RATE LIMITED LIABILITY COMPANY) |
| HIGHLAND LEGACY LIMITED |
| HIGHLAND LOAN FUNDING V, LTD. |
| HIGHLAND OFFSHORE PARTNERS |
| HSBC BANK USA |
| IBJ WHITEHALL FUNDING 2001 TRUST |
| ILLINOIS MUNICIPAL RETIREMENT FUND |
| INDOSUEZ CAPITAL FUNDING IIA, LIMITED |
| INDOSUEZ CAPITAL FUNDING IV, L.P. |
| INDOSUEZ CAPITAL FUNDING VI, LTD. |
| ING INTERNATIONAL II SENIOR BANK LOANS EURO |
| ING INTERNATIONAL II SENIOR BANK LOANS USD |
| ING PRIME RATE TRUST (F/K/A PILGRIM AMERICA PRIME RATE TRUST) |
| ING PRIME RATE TRUST (F/K/A PILGRIM AMERICA PRIME RATE TRUST) |
| ING PRIME RATE TRUST (F/K/A PILGRIM PRIME RATE TRUST) |
| ING SENIOR INCOME FUND |

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTION DEFENDANTS

| |
|---|
| ING SENIOR INCOME FUND (F/K/A ING PILGRIM SENIOR INCOME FUND) |
| ING SENIOR INCOME FUND (F/K/A PILGRIM SENIOR INCOME FUND) |
| INVESTMENT FUND II LLC |
| INVESTMENT PARTNERS I |
| J.H. WHITNEY MARKET VALUE FUND, L.P. |
| JACKSON NATIONAL LIFE INSURANCE COMPANY |
| JISSEKIKUN FUNDING, LTD. |
| JP MORGAN CHASE BANK, N.A.& CO. (F/K/A CHASE MANHATTAN BANK, N.A.), INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| JPMORGAN CHASE BANK, N.A. |
| JPMORGAN CHASE BANK, N.A. (F/K/A THE CHASE MANHATTAN BANK) |
| JPMORGAN SECURITIES, INC. (F/K/A CHASE SECURITIES, INC.) |
| JUPITER LOAN FUNDING LLC |
| KALDI FUNDING LLC |
| KATONAH I, LTD. |
| KATONAH II, LTD. |
| KATONAH III, LTD. |
| KENNETT CAPITAL, INC. |
| KEY BANK OF NEW YORK |
| KING STREET CAPITAL, L.P. |
| KINGSLAND I LTD. |
| KINGSLAND II LTD. |
| KINGSLAND III LTD. |
| KNIGHT CBNA LOAN FUNDING KNIGHT |
| KZH CNC LLC |
| KZH CYPRESSTREE-1 LLC |
| KZH HIGHLAND-2 LLC |
| KZH HOLDING CORPORATION III |
| KZH III LLC |
| KZH ING-1 LLC |
| KZH ING-2 LLC |
| KZH ING-3 LLC |
| KZH LANGDALE LLC |
| KZH PAMCO LLC |
| KZH PONDVIEW LLC |
| KZH RIVERSIDE LLC |
| KZH SHOSHONE LLC |
| KZH SOLEIL LLC |
| KZH SOLEIL-2 LLC |
| KZH STERLING LLC |
| KZH WATERSIDE LLC |
| LANDMARK CDO LIMITED |
| LATIGO MASTER FUND, LTD. |
| LCM I LIMITED PARTNERSHIP |
| LEGG MASON PARTNERS VARIABLE PORTFOLIOS III, INC. (F/K/A TRAVELERS SERIES FUND, INC.) |
| LEHMAN BROTHERS HOLDINGS, INC. |
| LEHMAN COMMERCIAL PAPER, INC. |
| LEHMAN SYNDICATED LOAN FUNDING TRUST |
| LIBERTYVIEW FUNDS, LP |
| LL PEACHTREE FUNDING LLC |
| LMP CORPORATE LOAN FUND INC. |
| LMP CORPORATE LOAN FUND INC. (F/K/A TRAVELERS CORPORATE LOAN FUND, INC.) |
| LMP CORPORATE LOAN FUND, INC. (F/K/A CITIGROUP INVESTMENTS CORPORATE) |

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTION DEFENDANTS

| |
|---|
| LOAN FUNDING IX LLC |
| LONG LANE MASTER TRUST II |
| LONG LANE MASTER TRUST IV |
| LONGACRE CAPITAL PARTNERS |
| LONGACRE MASTER FUND, LTD. |
| LONGHORN CDO (CAYMAN) LTD. |
| LONGHORN II CDO (CAYMAN) LTD. |
| M D SASS RE/ENTERPRISE PORTFOLIO |
| MACQUARIE/FIRST TRUST GLOBAL INFRASTRUCTURE/UTILITIES DIVIDEND & INCOME FUND (F/K/A MACQUARIE FIRST TRUST GLOBAL INFRASTRUCTURE DIVIDEND & INCOME FUND) |
| MAGNETITE ASSET INVESTORS III LLC |
| MAGNETITE ASSET INVESTORS L.L.C. |
| MAGNETITE IV CLO, LIMITED |
| MAINSTAY FLOATING RATE FUND, A |
| MANUFACTURERS & TRADERS TRUST COMPANY |
| MANUFACTURERS & TRADERS TRUST COMPANY (F/K/A FIRST NATIONAL BANK OF MARYLAND) |
| MANUFACTURERS AND TRADERS TRUST COMPANY (F/K/A ALLFIRST BANK) |
| MARATHON SPECIAL OPPORTUNITY MASTER FUND, LTD. |
| MASTER SENIOR FLOATING RATE TRUST |
| MCDONNELL LOAN OPPORTUNITY LTD. |
| MEESPIERSON N.V. |
| MELLON BANK, N.A. |
| MERRILL LYNCH & CO., INC. |
| MERRILL LYNCH CAPITAL CORP., INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| MERRILL LYNCH CREDIT PRODUCTS LLC |
| MERRILL LYNCH DEBT STRATEGIES FUND II, INC. |
| MERRILL LYNCH GLOBAL INVESTMENT SERIES: INCOME STRATEGIES PORTFOLIO |
| MERRILL LYNCH SENIOR FLOATING RATE PORTOLIO |
| MERRILL LYNCH, PIERCE, FENNER AND SMITH INCORPORATED |
| METLIFE INSURANCE CO. OF CONNECTICUT (F/K/A THE TRAVELERS INSURANCE COMPANY) |
| MITSUBISHI UFJ TRUST AND BANKING CORPORATION (F/K/A MITSUBISHI TRUST AND BANKING CORPORATION) |
| MIZUHO CORPORATE BANK, LTD. |
| MIZUHO FINANCIAL GROUP, INC. (F/K/A THE DAI-ICHI KANGYO BANK, LTD.) |
| MIZUHO FINANCIAL GROUP, INC. (F/K/A THE FUJI BANK, LIMITED), INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| MIZUHO FINANCIAL GROUP, INC. (F/K/A THE INDUSTRIAL BANK OF JAPAN, LIMITED) |
| MIZUHO GLOBAL LIMITED |
| ML CLO XV PILGRIM AMERICA (CAYMAN) LTD. |
| ML CLO XX PILGRIM AMERICA (CAYMAN) LTD. |
| ML INCOME STRATEGIES PORTFOLIO |
| MONUMENT CAPITAL LTD. |
| MORGAN GUARANTY TRUST COMPANY |
| MORGAN STANLEY & CO., INC. |
| MORGAN STANLEY EMERGING MARKETS, INC. |
| MORGAN STANLEY PRIME INCOME TRUST |
| MORGAN STANLEY PRIME INCOME TRUST (F/K/A MORGAN STANLEY DEAN WITTER PRIME INCOME TRUST) |
| MORGAN STANLEY SENIOR FUNDING, INC., INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| MOUNTAIN CAPITAL CLO I |
| MOUNTAIN CAPITAL CLO II |
| MSD CAPITAL, L.P. |
| MUIRFIELD TRADING, LLC |

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTED DEFENDANTS

| |
|--|
| MUZINICH CASHFLOW CBO II LTD. |
| MW POST PORTFOLIO FUND, LTD |
| MYERS CABLEVISION LLC |
| NATIONAL CITY BANK (F/K/A NATIONAL CITY BANK OF PENNSYLVANIA) |
| NATIONAL WESTMINSTER BANK PLC |
| NATIONWIDE LIFE AND ANNUITY INSURANCE COMPANY |
| NATIONWIDE LIFE INSURANCE CO. |
| NATIONWIDE MUTUAL INSURANCE COMPANY |
| NATIXIS, NEW YORK BRANCH (F/K/A NATEXIS BANQUES POPULAIRES, NEW YORK BRANCH) |
| NAUTIQUE FUNDING LTD. |
| NEMEAN CLO, LTD. |
| NEW ALLIANCE GLOBAL CDO, LIMITED |
| NEW YORK LIFE INSURANCE AND ANNUITY CO. |
| NEW YORK LIFE INSURANCE COMPANY |
| NOMURA BOND & LOAN FUND |
| NORTHWOODS CAPITAL II, LTD. |
| NORTHWOODS CAPITAL III, LTD. |
| NORTHWOODS CAPITAL, LTD. |
| NUVEEN FLOATING RATE INCOME FUND |
| NUVEEN FLOATING RATE INCOME OPPORTUNITY FUND |
| NUVEEN SENIOR INCOME FUND |
| OAK HILL CLO MANAGEMENT I, LLC |
| OAK HILL CREDIT ALPHA FUND (OFFSHORE), LTD. |
| OAK HILL CREDIT ALPHA FUND, LP |
| OAK HILL CREDIT PARTNERS I, LIMITED |
| OAK HILL SECURITIES FUND II, LP |
| OAK HILL SECURITIES FUND, L.P. |
| OAK MOUNTAIN LIMITED |
| OCTAGON CREDIT INVESTORS LOAN PORTFOLIO |
| OHIO PUBLIC EMPLOYEES RETIREMENT |
| OLIGRA43 |
| OLYMPIC FUNDING TRUST, SERIES 1999-1 |
| OLYMPIC FUNDING TRUST, SERIES 1999-1 |
| ONE EAST PARTNERS MASTER LP |
| OPPENHEIMER SENIOR FLOATING RATE FUND. |
| ORYX CLO, LTD. |
| OSPREY INVESTMENTS PORTFOLIO |
| OWL CREEK ASSET MANAGEMENT, L.P. |
| OXFORD STRATEGIC INCOME FUND |
| PACIFICA PARTNERS I, L.P. |
| PAM CAPITAL FUNDING L.P. |
| PAMCO CAYMAN LTD. |
| PAYDEN HIGH INCOME FUND (F/K/A HIGH INCOME FUND) |
| PAYDEN OPPORTUNITY BOND FUND (F/K/A THE TOTAL RETURN FUND) |
| PERRY PRINCIPALS, LLC |
| PHOENIX-GOODWIN HIGH YIELD FUND |
| PILGRIM AMERICA HIGH INCOME INVESTMENTS, LTD. |
| PILGRIM CLO 1999-1 LTD. |
| PIMCO CORPORATE INCOME FUND |
| PIMCO HIGH YIELD FUND (ACCOUNT 705) |
| PINEHURST TRADING, INC. |
| PIONEER FLOATING RATE TRUST |
| PNC BANK, N.A. |

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTION DEFENDANTS

| |
|---|
| PNC BANK, N.A., INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| PNC CAPITAL MARKETS LLC (F/K/A PNC CAPITAL MARKETS, INC.) |
| POST DISTRESSED FUND, L.P. (F/K/A POST OPPORTUNITY FUND, L.P.) |
| POST DISTRESSED OFFSHORE FUND, LTD. (F/K/A MW POST OPPORTUNITY OFFSHORE FUND, LTD.) |
| POST STRATEGIC FUND II, L.P. (F/K/A POST BALANCED FUND, L.P.) |
| POST STRATEGIC FUND, L.P. (F/K/A POST HIGH YIELD, L.P.) |
| POST TOTAL RETURN FUND, L.P. |
| PPM SHADOW CREEK FUNDING LLC |
| PPM SPYGLASS FUNDING TRUST |
| PRINCIPAL LIFE INSURANCE COMPANY |
| PROVIDENCE CAPITAL LLC |
| PROVIDENT - PNC |
| PRUDENTIAL INSURANCE COMPANY OF AMERICA |
| PUTNAM DIVERSIFIED INCOME TRUST |
| PUTNAM FLOATING RATE INCOME FUND |
| PUTNAM FUNDS TRUST - PUTNAM HIGH YIELD TRUST II |
| PUTNAM HIGH YIELD ADVANTAGE FUND |
| PUTNAM HIGH YIELD FIXED INCOME FUND |
| PUTNAM HIGH YIELD MANAGED TRUST |
| PUTNAM HIGH YIELD TRUST |
| PUTNAM MANAGED HIGH YIELD TRUST |
| PUTNAM MASTER INCOME TRUST |
| PUTNAM MASTER INTERMEDIATE INCOME TRUST |
| PUTNAM PREMIER INCOME TRUST |
| PUTNAM STRATEGIC INCOME FUND |
| PUTNAM VARIABLE TRUST - PVT DIVERSIFIED INCOME FUND |
| PUTNAM VARIABLE TRUST - PVT HIGH YIELD FUND |
| QDRF MASTER LTD. |
| QUADRANGLE MASTER FUNDING LTD. |
| QUANTUM PARTNERS, LLC |
| RABOBANK INTERNATIONAL, NEW YORK BRANCH |
| RACE POINT CLO, LIMITED |
| RAINTREE TRADING LLC |
| RAVEN CREDIT OPPORTUNITIES MASTER FUND, LTD. |
| REDWOOD MASTER FUND, LTD. |
| REGENTS OF THE UNIVERSITY OF CALIFORNIA |
| RELIANCE STANDARD LIFE INSURANCE COMPANY |
| RESOLUTION MASTER FUND LP |
| RESTORATION FUNDING CLO, LTD. |
| REYNOLDS AMERICAN DEFINED BENEFIT MASTER TRUST |
| REYNOLDS AMERICAN DEFINED MASTER TRUST (F/K/A B & W MASTER TOBACCO FUND) |
| RITCHIE SPECIAL CREDIT INVESTMENTS |
| RIVERSOURCE LIFE INSURANCE COMPANY (F/K/A IDS LIFE INSURANCE COMPANY) |
| RIVIERA FUNDING LLC |
| ROSEMONT CLO, LTD. |
| ROYAL BANK OF CANADA |
| ROYALTON COMPANY |
| SAFETY NATIONAL CASUALTY CORP. |
| SAGAMORE HILL HUB FUND LTD. |
| SANDLER ASSOCIATES, LP |
| SANDLER COMMUNICATIONS OFFSHORE FCND, INC. |
| SANKATY HIGH YIELD ASSET PARTNERS II, L.P. |

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTED DEFENDANTS

| |
|---|
| SANKATY HIGH YIELD ASSET PARTNERS III, L.P. |
| SANKATY HIGH YIELD ASSET PARTNERS, L.P. |
| SARATOGA CLO I LIMITED |
| SATELLITE SENIOR INCOME FUND II, LLC |
| SATELLITE SENIOR INCOME FUND, LLC |
| SAWGRASS TRADING LLC |
| SCOTIA CAPITAL (USA), INC. |
| SCUDDER FLOATING RATE FUND |
| SCUDDER FLOATING RATE FUND (F/K/A KEMPER FLOATING RATE FUND) |
| SEABOARD CLO 2000 LTD. |
| SECURITY INCOME FUND - INCOME OPPORTUNITY SERIES |
| SEI INSTITUTIONAL INVESTMENTS TRUST |
| SEI INSTITUTIONAL MANAGED TRUST |
| SEMINOLE FUNDING LLC |
| SENECA CAPITAL, L.P. |
| SENIOR DEBT PORTFOLIO |
| SENIOR LOAN FUND 2 |
| SEQUILS-CENTURION V, LTD. |
| SEQUILS-CUMBERLAND I, LTD. |
| SEQUILS-ING (HBDGM), LTD. |
| SEQUILS-MAGNUM, LTD. |
| SEQUILS-PILGRIM I, LTD. |
| SHINSEI BANK, LIMITED (F/K/A THE LONG-TERM CREDIT BANK OF JAPAN, LTD.) |
| SIERRA CLO I LTD. |
| SIGNATURE 1A (CAYMAN), LTD. |
| SILVER OAK CAPITAL LLC |
| SKANDINAVISKA ENSKILDA BANKEN (AB) |
| SL LOANS I LIMITED |
| SMOKY RIVER CDO, L.P. (F/K/A INDOSUEZ CAPITAL FUNDING IV) |
| SMOKY RIVER CDO, LP |
| SOCIÉTÉ GÉNÉRALE, S.A., INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| SOF INVESTMENTS, L.P. |
| SOL LOAN FUNDING LLC |
| SPCP GROUP, L.L.C. |
| SPECTRUM INVESTMENT PARTNERS LP |
| SPRUGOS INVESTMENTS IV, LLC |
| SRF 2000 LLC |
| SRF TRADING, INC. |
| SRI FUND |
| SRS STRATEGIES (CAYMAN), L.P. |
| SRV-HIGHLAND, INC. |
| STANFIELD ARBITRAGE CDO, LTD. |
| STANFIELD CLO, LTD. |
| STANFIELD QUATTRO CLO, LTD. |
| STANFIELD RMF TRANSATLANTIC CDO, LTD. |
| STANWICH LOAN FUNDING LLC |
| STATE OF SOUTH DAKOTA RETIREMENT SYSTEM |
| STEIN ROE & FARNHAM CLO I LTD. |
| STEPHEN ADAMS LIVING TRUST |
| STRAND FUNDING |
| STRATEGIC MANAGED LOAN PORTFOLIO |
| SUMITOMO MITSUI BANKING CORPORATION |

The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTED DEFENDANTS

| |
|--|
| SUMITOMO MITSUI BANKING CORPORATION (F/K/A THE SUMITOMO BANK, LIMITED) |
| SUN LIFE ASSURANCE COMPANY OF CANADA (U.S.) (SUCCESSOR BY MERGER TO KEYPORT LIFE INSURANCE COMPANY) |
| SUNAMERICA LIFE INSURANCE COMPANY |
| SUNAMERICA SENIOR FLOATING RATE FUND, INC. |
| SUNAMERICA SENIOR FLOATING RATE FUND, INC. (F/K/A NORTH AMERICAN SENIOR FLOATING RATE FUND, INC.) |
| SUNTRUST BANK |
| SUNTRUST BANK, INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| SUNTRUST INVESTMENT CAPITAL MARKETS, INC. (F/K/A SUNTRUST SECURITIES, INC.) |
| SWISS LIFE US RAINBOW LIMITED |
| SYNDICATED LOAN FUNDING TRUST |
| T. ROWE PRICE HIGH YIELD FUND |
| T. ROWE PRICE INSTITUTIONAL HIGH YIELD FUND |
| TD SECURITIES (USA) LLC |
| THALES HOLDINGS LTD., INC. |
| THE ASSETS MANAGEMENT COMMITTEE OF THE COCA-COLA MASTER RETIREMENT TRUST |
| THE BANK OF NEW YORK |
| THE BANK OF NEW YORK MELLON CORP. (F/K/A MELLON BANK, CORP.) |
| THE BANK OF NEW YORK, INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| THE BANK OF NOVA SCOTIA, INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| THE ING CAPITAL SENIOR SECURED HIGH INCOME HOLDINGS FUND, LTD. |
| THE OPPORTUNITY FUND, LLC |
| THE PRESIDENT AND FELLOWS OF HARVARD COLLEGE |
| THE PRESIDENT AND FELLOWS OF HARVARD COLLEGE (REF. HARVARD SPECIAL SITUATIONS ACCOUNT) |
| THE ROYAL BANK OF SCOTLAND, PLC, INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| THE SUMITOMO TRUST & BANKING CO., LTD. |
| THE SUMITOMO TRUST & BANKING CO., LTD., NEW YORK BRANCH |
| THE TORONTO-DOMINION BANK |
| THIRD AVENUE TRUST (ON BEHALF OF THE THIRD AVENUE VALUE FUND SERIES) |
| THIRD AVENUE VALUE FUND SERIES |
| THRACIA LLC |
| TORONTO DOMINION (TEXAS), INC. |
| TORONTO DOMINION (TEXAS), INC., INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| TRANSAMERICA LIFE INSURANCE COMPANY (F/K/A PFL LIFE INSURANCE COMPANY) |
| TRAVELERS SERIES FUND, INC.-PUTNAM |
| TRILOGY PORTFOLIO COMPANY LLC |
| TRS CALLISTO LLC |
| TRS ELARA LLC |
| TRS IO LLC |
| TRS PLAINFIELD LLC |
| TRS THEBE LLC |
| TRYON CLO LTD. 2000-1 |
| TUSCANY CDO LTD. |
| TYLER TRADING, INC. |
| U.S. BANK NATIONAL ASSOCIATION |
| UBS AG |
| UBS AG, STAMFORD BRANCH |
| UNION BANK OF CALIFORNIA, N.A. |

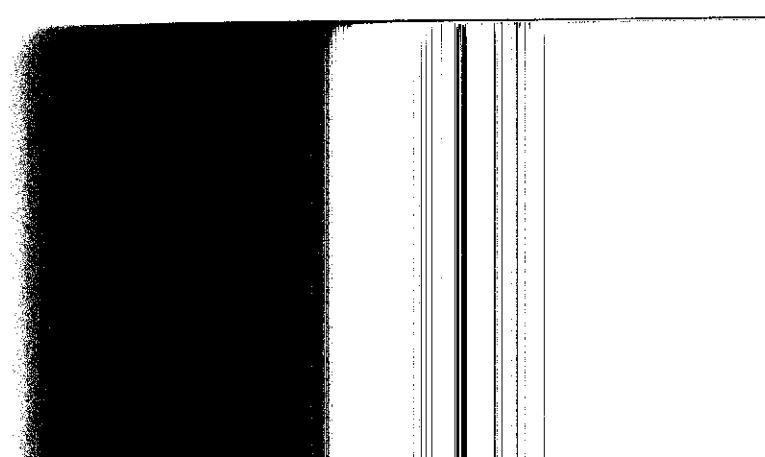
The list of Affected Defendants is taken from the caption of the Second Amended Complaint

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AFFECTED DEFENDANTS

| |
|---|
| UNITED OF OMAHA LIFE INSURANCE COMPANY |
| UNIVERSITY OF CHICAGO |
| VAN KAMPEN SENIOR INCOME TRUST |
| VAN KAMPEN SENIOR LOAN FUND |
| VAN KAMPEN SENIOR LOAN FUND (F/K/A VAN KAMPEN AMERICAN CAPITAL PRIME RATE TRUST) |
| VAN KAMPEN SENIOR LOAN FUND (F/K/A VAN KAMPEN PRIME RATE INCOME TRUST) |
| VAN KAMPEN SENIOR LOAN FUND (F/K/A VAN KAMPEN SENIOR FLOATING RATE FUND) |
| VARIABLE INSURANCE PRODUCTS FUND II: ASSET MANAGER PORTFOLIO (222) [The correct legal name for this entity is Variable Insurance Products Fund V: Asset Manager Portfolio (228)] |
| VARIABLE INSURANCE PRODUCTS FUND II: ASSET MANAGER: GROWTH PORTFOLIO [The correct legal name for this entity is Variable Insurance Products Fund V: Asset Manager Growth Portfolio (159)] |
| VARIABLE INSURANCE PRODUCTS FUND: HIGH INCOME PORTFOLIO |
| VARIABLE INSURANCE PRODUCTS FUND: VIP HIGH INCOME PORTFOLIO [The correct legal name for this entity is Variable Insurance Products Fund: High Income Portfolio] |
| VENTURE CDO 2002, LIMITED |
| WACHOVIA BANK, NATIONAL ASSOCIATION (F/K/A CORESTATES FINANCIAL CORPORATION) |
| WACHOVIA BANK, NATIONAL ASSOCIATION (F/K/A FIRST UNION NATIONAL BANK), INDIVIDUALLY AND AS AGENT FOR VARIOUS BANKS PARTY TO CREDIT AGREEMENTS DESCRIBED HEREIN |
| WACHOVIA CAPITAL MARKETS, LLC. (F/K/A FIRST UNION SECURITIES, INC.) |
| WASATCH CLO, LTD. (F/K/A SEQUILS-LIBERTY, LTD.) |
| WATERVILLE FUNDING LLC |
| WB LOAN FUNDING 3 LLC |
| WBNA |
| WEBSTER BANK |
| WHIPPOORWILL DISTRESSED OPPORTUNITY FUND |
| WHIPPOORWILL OFFSHORE DISTRESSED OPPORTUNITY |
| WHITNEY PRIVATE DEBT FUND, L.P. |
| WINDSOR LOAN FUNDING, LIMITED |
| WINGED FOOT FUND TRUST |
| YORK CAPITAL MANAGEMENT LP |

EXHIBIT B



| Bank | Counsel |
|--|--|
| ABN AMRO Bank N.V. | Jenna Z. Nicenko, Esq. White & Case LLP 1155 Avenue of the Americas New York, NY 10036-2787 |
| ABN AMRO Inc. | Joon Kim, Esq. Cleary Gottlieb Steen & Hamilton LLP One Liberty Plaza New York, NY 10006 |
| Adelphia Recovery Trust | Deirdre Connell, Esq. Jenner & Block LLP 330 N. Wabash Chicago, Illinois 60611 |
| Bank of America, N.A. Fleet National Bank | Richard D. Anigian, Esq. Haynes & Boone LLP 901 Main Street, Suite 3100 Dallas, TX 75202-3789 Judith Elkin, Esq. Haynes & Boone LLP 153 East 53 rd Street, Suite 4900 New York, NY 10022 |
| Bank of Montreal BMO Capital Markets Corp. | Jean-Marie L. Atamian, Esq. Mayer Brown LLP 1675 Broadway, Suite 1900 New York, NY 10019-5820 |
| The Bank of New York Co, Incorporated Morgan Stanley Senior Funding, Inc. | Christopher M. Joralemon, Esq. Clifford Chance LLP 31 W 52 nd Street New York, NY 10019 |
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| BNP Paribas | James M. Bergin, Esq. Morrison & Foerster LLP |

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| CIBC, Inc. | Scott D. Talmadge, Esq. Kaye Scholer LLP 425 Park Avenue New York, New York 10022-3598 |
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| Credit Suisse, New York Branch Credit Suisse Securities (USA) LLC Credit Suisse Capital Funding, Inc. The Royal Bank of Scotland, PLC, | John Valentine, Esq. Wilmer Cutler Pickering Hale & Dorr LLP 1875 Pennsylvania Avenue, NW Washington, DC 20006 |
| Deutsche Bank Trust Company Americas | Jennifer Hurley McGay, Esq. McKee Nelson LLP One Battery Park Plaza 34 th Floor New York, NY 10004 |
| Fifth Third Bank | Ronald S. Beacher, Esq. Day Pitney, L.L.P. Times Square Tower 7 Times Square New York, NY 10036 |
| The Fuji Bank, Limited Dai-Ichi Kangyo Bank, Ltd. The Industrial Bank of Japan | Kenneth Pasquale, Esq. Stroock & Stroock & Lavan LLP 180 Maiden Lane New York, NY 10038 |
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| HCM/Z Special Opportunities LLC | Dominick D Barbieri, Esq. Davis Polk & Wardwell 450 Lexington Avenue New York, NY 10017 |
| HSBC Bank USA, National Association | Angela Zwirski Miller Phillips Lytle LLP (Buffalo, NY) 3400 HSBC Center Buffalo, NY 14203 |
| JPMorgan Chase Bank, N.A. J.P. Morgan Securities, Inc. | Thomas A. Arena, Esq. Milbank Tweed Hadley & McCloy LLP 1 Chase Manhattan Plaza New York, NY 10005-1413 |
| Key Bank National Association | Alec P. Ostrow, Esq. Stevens & Lee 485 Madison Avenue, 20th Flr. New York, NY 10022 |
| Marathon Special Opportunity Master Fund, Ltd. | Carole Neville, Esq. Sonnenchein Nath & Rosenthal LLP (NY) 1221 Avenue of the Americas New York, NY 10020 |
| Merrill Lynch Capital Corp. Merrill Lynch & Co. | Marshall R. King, Esq. Gibson Dunn & Crutcher LLP 200 Park Avenue 47 th Floor New York, NY 10166 |
| Bank of Tokyo-Mitsubishi Trust Company Mitsubishi UFJ Trust and Banking Corporation | Peter Lewis Feldman Otterbourg, Steindler, Houston & Rosen 230 Park Avenue New York, NY 10169 |
| Nationwide Life Insurance Company Nationwide Life and Annuity Insurance Company Nationwide Mutual Insurance Company | John A. Wetzel, Esq. Swartz Campbell LLC One South Church Street, Suite 400 West Chester, PA 19382 |

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| PNC Bank N.A. | F. Whitten Peters, Esq. Williams & Connolly LLP 725 Twelfth Street, N.W. Washington, DC 20005-5901 |
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| Sprugos Investments IV, L.L.C. | David S. Elkind, Esq. Ropes & Gray LLP (NYC) 1211 Avenue of the Americas New York, NY 10036 |
| SunTrust Bank | Garry K. Grooms, Esq. Stites and Harbison PLLC 401 Commerce Street, Suite 800 Nashville, TN 37219 |
| Toronto Dominion (Texas) LLC | Dion W. Hayes, Esq. McGuire Woods LLP One James Center 901 East Cary Street Richmond, VA 23219-4030 |
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